

IN THE MATTER OF THE CLAIM OF  
**VAUGHN SCOTT**  
-against-  
THE MOUNT VERNON and the MOUNT VERNON POLICE DEPARTMENT

TO:

The City of Mount Vernon Corporate Counsel,  
Department of Law, City Hall,  
1 Roosevelt Square, Mount Vernon N.Y. 10550

*D Thompson*  
**THOMPSON**

PLEASE TAKE NOTICE that the undersigned claimant(s) hereby make(s) claim and demand against the City of Mount Vernon as follows:

**1. The name and post-office address of each claimant and claimants attorney is:**

The Claimant:

Vaughn Scott, 328 South 2nd Ave., Mt. Vernon, N.Y. 10550.

The Claimant's Attorney:

David A. Thompson, Esq. Stecklow Cohen & Thompson 10 Spring Street, Suite 1, N.Y. N.Y. 10012.

**2. Date(s), Time(s) & Location(s) Where the Claim Arose:**

The claim arose at the following location, date and time:

Location: 328 South 2nd Ave., Mt. Vernon, N.Y. 10550

Date: March 20, 2013

Time: Approximately 6:00 PM

**3. The Nature of the Claim**

This is a claim for personal injury to the Claimant, and for the destruction of the claimant's property.

The facts forming the basis of the City of Mount Vernon's liability are as follows:

At the location stated above, the claimant was subjected to unlawful arrest by agents of The City of Mount Vernon, members of the Mount Vernon Police Department (MVPD). Beginning at approximately 6 PM, officers of the MVPD unlawfully entered the Claimant's home without a warrant or probable cause. The MVPD officers confined the Claimant to the location. The Claimant was not free to leave. The Claimant's person was subjected to unlawful and intrusive search. While confined, MVPD officers forbade the Claimant from conducting the Claimant's normal and lawful business. The Claimant was not free to move about the apartment. The Claimant was not allowed to make or receive phone calls.

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DEPARTMENT OF LAW  
CITY OF MOUNT VERNON NY

*D Thompson*  
**THOMPSON**

The MVPD officers damaged or destroyed property which the Claimant owns, leases or which the Claimant is legally responsible to maintain in good condition; the property damaged or destroyed was a) kitchen cabinets, b) the bathroom sink and other bathroom fixtures, and c) three doors.

The claimant places the City of Mount Vernon on notice that the claimant claims payment, compensation and damages upon the following causes of action and legal theories: liability in respondeat superior for the acts of its agents; negligence; negligent hiring, training, and/or supervision of its agents and officers; recklessness; intentional infliction of emotional distress; assault; battery; defamation; false arrest; violation of the claimant's rights under the Constitution of the State of New York, including the right to due process, freedom from unlawful seizure, and liberty; and violation of the claimant's rights under the United States Constitution, including the right to be free from unreasonable seizure, the right to due process, and liberty.

**4. The items and dollar amount of damages or injuries that are claimed to have been sustained are:**

The Claimant suffered personal and emotional injuries. Because of the actions and omissions of The City of Mount Vernon and its agents, the claimant has suffered and will continue to suffer mental and emotional pain and suffering; deprivation of constitutionally-protected rights; limitation of the Claimant's participation in and enjoyment of the activities of living.

The Claimant understands that the City of Mount Vernon is a city of less than one million people, and therefore, pursuant to NY Gen. Mun. Law § 50-e(2), this notice does not state the amount of damages to which the Claimant is entitled.

INDIVIDUAL VERIFICATION

STATE OF NEW YORK, :


COUNTY OF Westchester ss.

I, VAUGHN SCOTT, being duly sworn, certify that all information contained in this notice is true and correct to the best of my knowledge and belief. I understand that the willful making of any false statement of material fact herein will subject me to criminal penalties and civil liabilities.

  
VAUGHN SCOTT

Sworn to before me this

15 th day of May 2013

  
NOTARY PUBLIC

DAVID ALLEN THOMPSON  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 02TH6208118  
Qualified in New York County  
My Commission Expires June 22, 2013